
SENATE BILL No. 556

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-9-2; IC 31-17-4.5.

Synopsis: Rights of custodial and noncustodial parents. Provides that custodial and noncustodial parents have equal access to obtain information and to request services from law enforcement agencies, the division of family and children, a county office of family and children, a child welfare worker, or a school.

Effective: July 1, 2005.

Young R Michael

January 20, 2005, read first time and referred to Committee on Judiciary.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 556

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-9-2-30 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 30. "Custodial parent",
3 for purposes of IC 31-14-13-8, IC 31-14-15, IC 31-16-12.5,
4 IC 31-17-2-22, ~~and~~ IC 31-17-4, **and IC 31-17-4.5**, means the parent
5 who has been awarded physical custody of a child by a court.

6 SECTION 2. IC 31-9-2-41.2 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 41.2. "Division", for
8 purposes of:

9 **(1) IC 31-17-4.5; and**

10 **(2) IC 31-40;**

11 means the division of family and children established by IC 12-13-1-1.

12 SECTION 3. IC 31-9-2-74 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 74. "Law enforcement
14 agency", for purposes of:

15 **(1) IC 31-17-4.5; and**

16 **(2) IC 31-36;**

17 means a governmental agency or department whose principal function

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1 is the apprehension of criminal offenders.

2 SECTION 4. IC 31-9-2-83 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 83. "Noncustodial
4 parent", for purposes of IC 31-14-13-10, IC 31-14-15, ~~and~~ IC 31-17-4,
5 **and IC 31-17-4.5**, means the parent who is not the custodial parent.

6 SECTION 5. IC 31-9-2-113.5 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 113.5. "School", for
8 purposes of IC 31-39-2-13.8 **and IC 31-17-4.5**, means a:

9 (1) public school (including a charter school as defined in
10 IC 20-5.5-1-4); or

11 (2) non-public school (as defined in IC 20-10.1-1-3);
12 that must comply with the education records privacy provisions of the
13 **federal** Family Educational Rights and Privacy Act (20 U.S.C. 1232g)
14 to be eligible to receive designated federal education funding.

15 SECTION 6. IC 31-17-4.5 IS ADDED TO THE INDIANA CODE
16 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2005]:

18 **Chapter 4.5. Rights of a Noncustodial Parent**

19 **Sec. 1. A noncustodial parent and a custodial parent have equal**
20 **access to obtain information, and both may request services from:**

- 21 (1) a law enforcement agency;
22 (2) a caseworker;
23 (3) a county office;
24 (4) the division; or
25 (5) a school;

26 **concerning the parents' child.**

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